SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 04 October 2023**

(Author: **Maxine Simmons - Planning Officer)**

Purpose: **To consider Planning Application H09-1031-22**

Application Number:	H09-1031-22	**Date Received:**	21 October 2022
Application Type:	S73A CONTINUATION		
Description:	Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) - approved under H09-0331-17. Modification of Condition 1 to allow amendments to previously approved plans.		
Location:	Holbeach Meadows Hallgate Holbeach		
Applicant:	Ashley King (Developments) Ltd.	**Agent:**	Ashley King (Developments) Ltd.
Ward:	Holbeach Town	**Ward Councillors:**	Cllr N Chapman Cllr T Carter Cllr S Hutchinson

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-1031-22

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Due to the overall complexity of the scheme and related applications it is considered necessary for Committee to consider this case.

2.0 PROPOSAL

2.1 This application is for a section 73A application to modify Condition 1 of the previous permission to allow amendments to the previously approved plans to H09-0331-17 to modify phases 1A, 1B & 2.

2.2 These phases related to access appearance, landscaping, layout and scale for highways infrastructure new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). It also relates to the Development Brief and Masterplan for the phased development of the whole site (Outline Permission H09-0521-14).

2.3 The proposed changes are:
·Reduction in plot numbers from 101 to 94
·Plots 120-129 - change from Welland to Clyde house type
·Plot 169-174 - change from 8 no. Eden to 6 no. Dee house type
·Plot 177-180 - change from A732 to Dee/Huntingdon house types

·Plot 183 - change from 2 no. A732 to 1 no. Ribble house type
·Plot 184-189 - change from 6 no. A732 to 4 no. Dee house type
·Plot 193-196 - change from 6 no. Welland to 4 no. Dee/Huntingdon house type
·Plot 207 - change from Tamar to Severn house type
·Plots 208-213 - inclusion of garage to plots
·Changes to red line boundary

3.0 SITE DESCRIPTION

3.1 The site is within the settlement boundary of Holbeach. The site is generally flat, crossed by a number of drainage ditches, bounded by the Old River Holbeach to the east and transversed in places with tree belts and older hedgerows. Hall Gate runs east-west from the southern edge of Holbeach town centre and is to the north of the overall site.

3.2 The southern and western boundaries are open to adjacent fields. The site contains some post war agricultural buildings, two dwellings and a Grade II listed Manor Farm House Building.

3.3 The site lies on the southern edge of Holbeach. The immediate surroundings are residential in character to the north and east and agricultural to the south and west.

3.4 Several of the plots associated with Phase 2A have been constructed. These are plots 74, 75, 84, 85, 86, 87, 88, 89, 90, 91, 112, 113, and 114. Several other plots have been partially completed. These are plots 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, and 155.

3.5 Overall 120 dwellings have been constructed on the site.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 10 - Meeting Assessed Housing Requirements
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2023

Section 2 - Achieving Sustainable Development
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H09-0521-14 - Residential development of up to 900 dwellings, with access off Hall Gate and Fen Road, including primary school, public open space, drainage, infrastructure, landscaping, including demolition of two dwellings and agricultural buildings (but not listed Manor Farm and adjacent buildings) - Outline planning permission approved 7 December 2016.

5.2 H09-0331-17 - Reserved matters application for access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B and 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) at Manor Farm, Fen Road (Land south of Hall Gate) Holbeach - Reserved matters approved 9 November 2017

5.3 H09-0416-19 - Modification of Section 106 agreement to: reduce the percentage of affordable housing from 33.3% to 25% of the remaining balance of 570 dwellings; -Manor Farmhouse scheme to be submitted by the 100th occupation; -indexation calculation to commence as each phase starts - Approved 12 June 2019.

5.4 The Section 106 agreement with the outline permission (H09-0521-14) sought to provide policy compliant affordable housing but also included a viability review mechanism. The reserved matters application included a significant amount of upfront infrastructure which would service the whole development, i.e. the roundabout, main roads and drainage. The developer submitted a viability report which was independently checked on behalf of the Council. The result of this was, it was accepted on the basis of the viability evidence that the first phases of development of 330 dwellings could not support the provision of any affordable housing units.

5.5 Other current planning applications relating to the same site currently undetermined are:

5.6 H09-0845-22 - Land to the West of Fen Road - 100 Affordable Housing Units
H09-1093-22 - Holbeach Meadows - Modification of 106 agreement to change affordable housing, payments for infrastructure - to planning approval H09-0521-14 - Undetermined at the time of writing.
H09-1118-22 - Holbeach Meadows - Reserved Matters - Erection of 170 dwellings including parking, public open space, drainage, infrastructure and landscaping (Phase 3) - outline approval H09-0521-14 - Undetermined at the time of writing.
H09-0219-23 - Holbeach Meadows Phase 2B - Section 73A application - Modification of Condition 1 to allow amendments to previously approved plans - Undetermined at the time of writing.
H09-0598-23 - Manor Farm - Change of Use of Farmhouse and Outbuilding to Community use - Undetermined at the time of writing.
H09-0591-23 - Manor Farm - Listed Building Consent - demolition of modern additions and refurbishment of Farm House - Undetermined at the time of writing.

6.0 REPRESENTATIONS

6.1 Lead Local Flood Authority and Local Highway Authority

6.2 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that on the understanding that this Application seeks only to amend the house types and that the previously consented road and drainage layout will be unaltered, the impact upon the local highway network will be negligible and therefore does not wish to object to this planning application.

6.3 Former Councillor Biggadike

6.4 Please keep large tree plantings on the perimeter away from the street road gully's in the interest of preventing street blockage of drainage by leaves at leaf fall and ever green shrubs and bushes in populated areas to enhance the street scene.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 Principle

7.3 Policy 1 of the South East Lincolnshire Local Plan 2019 (SELLP) relates to the overall settlement hierarchy of the district and encourages development in more sustainable locations. The principle of developing this site for housing has been established through the granting of outline planning permission under reference H09-0521-14. In the 2019 adopted plan, this site is a committed development site. The site is not within an unsustainable location.

7.4 Reserved matters for Phase 1A and two phases of residential development for 330 homes (Phases 1A, 1B and 2) were approved on 9th November 2017 under reference H09-0331-17.

7.5 The matters for consideration under the current application relate to altering Phases 1A, 1B and 2, which relate to small changes in terms of the red line boundary, changes to house types, a reduction in plot numbers from 101 to 94, and the inclusion of garages, and the repositioning of some of the plots. The main issue to consider therefore is the design and appearance of the proposed changes and whether or not the changes are acceptable.

7.6 Design, Appearance and Layout

7.7 Policy 2 of the SELLP states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to, amongst other things, size, scale, layout, density, impact on amenity, character and appearance of the area.

7.8 Overall, the total number of dwellings has reduced compared with the consented scheme, with overall dwellings down from 101 to 94 within this section of the overall scheme. On the scale of the overall build such a reduction is not significant, but it does give the opportunity to improve the consented design.

7.9 There is a slight change to the red line boundary to align with H09-0331-17. This is for consistency and is not considered to be significant.

7.10 The proposed changes to the consented scheme are as follows:

7.11 Plots 120-129

7.12 These plots are proposed to have different house types and have changed their positions slightly. The houses are still arranged in a semi-circle, arranged around a roundabout off Daisy Road, forming the inner part of an overall semi-circle within Jasmine Crescent. There is no significant change to the overall design.

7.13 The new house types are called 'Clyde' (which were previously 'Welland') which are two storey, three bed, 5 person semi-detached properties with a utilitarian front design with two windows on the side elevation to add interest, avoiding a plain flank wall. The roof type of these properties are Condron Concrete Pantile in Terracotta, the brick type is Leicester Red, with black rainwater goods and brown recessed meter boxes. Boundary treatments for these plots are 1.8m close boarded fences. Electric car chargers are to be placed on the side elevations of these plots. Solar panels are to be incorporated on the roof slopes.

7.14 Plots 169-174

7.15 Plots 169-174 have changed from 8 dwellings in 'Eden' house type to 6 dwellings in 'Dee' house type, which is a semi-detached 2 bed property type with 2 flank obscured glass windows, one offset bedroom window at first floor level and meter boxes at the front. The re-positioning of the houses are not significant since the dwellings maintain the same building line. Materials for these plots are Ivanhoe Westminster brick type and Condron Concrete slate in black with recessed brown meter boxes. These properties have electric car charging on the front

elevations. Solar panels are located on the rear roof slopes.

7.16 Plots 177-80

7.17 Plots 177-180 have changed from 'A732' house type to plots 177 and 180 being 'Huntington' house types and plots 178 and 179 being 'Dee' house types. The total number of dwellings in this location has reduced from 8 to 6 dwellings. Dee house types are described above. The materials are the same as in 169-174. Huntington house types are three bedroom semi-detached dwellings with flank obscured glass bathroom windows, the first floor front elevation has a bedroom window and en-suite window on obscured glass. Gas boxes are located on the flank elevation, electricity boxes are located on the front elevation, both in brown and recessed. These properties have electric car charging to the front elevations. Solar panels are located on the rear roofs slopes.

7.18 Plot 183

7.19 Plot 183 has changed from 2 x 'A732' house types to the 1 'Ribble' house type. This is a 2 storey, 4 bed, 7 person detached house with a central front door. There are no flank windows in this house but flank elevations have two decorative bands. Materials are Marley Lincoln Clay single pantile with Leicester Red brick type. Brown recessed meter boxes are on the front and flank with black rainwater goods. Solar panels are on the front roof slope. Boundary treatment is a 1.8m brick wall as to the side of this plot is a private shared drive leading to plots 184-189. This house has a double garage beneath unit 190 which is part of a group of properties consisting of Flats over garages (known as 'FOGs'). The cycle store for this property is within the garage. Plot 183 has electric car charging in the garage.

7.20 Plots 184-189

7.21 Plots 184-189 are 6 'Dee' house type, which is described above. These plots have electric car charging to the front elevations. The materials are Leicester Red stock brick and roof tiles are Condron Concrete Pantile in Terracotta. Cycle parking is at the rear of each dwelling. Fencing is 1.8m close boarded fencing. There are no electric car charging points for these dwellings. The change to these dwellings is that they have been slightly re-positioned. Solar panels are on the front roof slopes.

7.22 Plots 168, 175, 176, 181, 182, 191, 192 and 197

7.23 Plots 168, 175, 176, 181, 182, 191, 192 and 197 have been repositioned slightly and have had garages added. This enables at least one car parking space to be positioned directly in front of the garage. Materials for the garages are Condron Concrete slate tile with Ivanhoe Westminster brick. Cycle storage is within the rear garages. These properties have electric vehicle car charging within the garages. Solar panels are on the front roof slopes on plots 191, 192, 197, 168 and 181 and on the rear on 182, 175, and 176. Brick type is Ivanhoe Westminster stock bricks and Wienerberger new cassius antique slate roof tiles.

7.24 Plot 190

Plot 190 is a two bedroom flat over garages. The southern flank elevation has been altered to add banding and a small window at first floor level as this is visible in the street scene. These changes are preferable to a 'blank' side elevation in design terms. This building is also set back behind landscaping which lessens the impact of a side elevation facing the highway. Materials are Condron Concrete slate in black roof tiles and Ivanhoe Westminster brick type. Each flat has a cycle parking stand in the garage. Solar panels are located on the western roof slope. This property has an electric car charging point in the garage.

7.25 Plots 206 and 205

These properties have an 'Avon' house type, which is a two storey 3 bedroom semi-detached property with a small mono pitch roof over bay windows. There is no change to this aspect of the proposal. The garage at 206 is to be moved back towards the rear of the plot, which allows 2 car parking spaces to be positioned in front of the garage. The materials for these plots are Condron Concrete slate in black, and Leicester Multi Cream brick, recessed brown meter

boxes. Cycle storage is in the garage. Solar panels are proposed on the front roof slope, in the same manner as number 205. Electric car charging is included in the garages.

7.26 Plot 207

7.27 Plot 207 has a house substitute to the 'Severn' type (from 'Tamar') which is a 2 storey, 4 bed, 6 person house with an attractive front gable with pitched roof over the internal garage continuing to form a central porch. There are no flank windows and the rear kitchen and breakfast rooms have a pitched roof on the rear elevation. Materials consist of Condron Concrete slate in black, and Leicester Multi Cream brick, black rainwater goods and brown recessed meter boxes. Cycle storage and electric car charging is within the garage. Solar panels are proposed on the front roof slope.

7.28 Plots 208-213

7.29 These properties are the 'Sparta' house types and there are no changes to the type. Garages are proposed to be added to plots 208-213, allowing 2 car parking spaces in front of each garage. Materials for the garages are Condron Concrete slate tile in black with Ivanhoe Westminster brick, brown meter boxes and black rainwater goods. Boundary treatments for these plots are 1.8m close boarded fences. Solar panels are to be incorporated on the rear roof slopes. Cycle storage and electric car charging is within each garage.

7.30 The above changes are minor in nature and will not lead to a change in the overall design ethos, a significant change in design and will not adversely affect residential amenity. It is not considered that the proposals would result in any conflict with Policies 2 or 3 of the SELLP in design terms. There is no clear reason to refuse planning permission on the grounds of design.

7.31 Residential Amenity

7.32 Policy 3 of the SELLP requires all development to create distinctive places, with inclusive design and layout, be sensitive to the landscape character, and take into account residential amenity. The affected dwellings are in the centre of the site where no residents exist at present. The changes will not affect external amenity as a result. There is no conflict with Policy 3 of the SELLP.

7.33 Highways Matters and Parking Provision

7.34 Policy 36 of the SELLP states that all new development should provide vehicle and cycle parking in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (Appendix 6).

7.35 There are small changes to the overall parking. In this part of the consented scheme, there were 89 spaces with 6 garages (so 95 spaces overall). In the proposed scheme 79 spaces with 20 garages (so 99 spaces overall). There is therefore the addition of 4 spaces overall. The main changes relate to the addition of garages from 6 to 20. This level of change given the context of the site overall is not considered to be significant and will not adversely affect highway safety. In addition the Local Highway Authority does not object to this application on highway grounds.

7.36 Overall the submitted layouts largely conform with the parking standards set out in Appendix 6. Subject to any comments by the Local Highway Authority, it is not currently thought that car parking is insufficient to the extent that refusal is justified via Policy 36 of the SELLP.

7.37 Other Matters

7.38 This application needs to be linked into the amended S106 agreement being considered under reference H09-1093-22. The conditions of the original approval need to be updated with up to date SELLP references and re-imposed subject to discharged details for each of the original conditions imposed at the outline stage (with discharged information attached to the condition as appropriate, or the necessary condition re-imposed). Once the updated S106 agreement has been drafted, an updated condition schedule will be attached to the draft permission and

modified S106 agreement and both will be presented to Chairman's Panel for approval.

7.39 Other matters such as landscaping and open space, flooding, ecology, archaeology, pollution are as determined by the host consent and associated discharged details, and are not part of the consideration of this application.

7.40 Planning Balance

7.41 The principle of development was established with the outline planning permission. The proposed changes to the positioning and design of the dwellings and adding of garages are minor within the context of the host consent. There will be no adverse impact on amenity and the proposal is considered acceptable in design terms. It is considered that the proposal is acceptable taking into account the history of the site and the location of the altered dwellings.

7.42 Conclusion

7.43 It is concluded that planning permission should be approved subject to an amended S106 agreement and revised conditions.

7.44 **Additional Considerations**

Public Sector Equality Duty

7.45 In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.46 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.47 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

7.48 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.49 Human Rights

7.50 In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

7.51 It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the

submitted application based on the considerations set out in this report.

8.0 RECOMMENDATIONS

8.1 That Committee approve the application based on the terms above and delegate to officers agreement to finalise the conditions and modified Section 106 agreement and report the final agreed wording to Chairman's Panel prior to the decision being issued.

9.0 CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

H09-1031-22
Application Form
DEE-001
HUNTINGDON-001
LOCK-001
SEVERN-002
SEVERN-001
SPARTA-001
AVON-001
CLYDE-001
CORONATION-001
135-BT-01- Rev A
135-CSP-01 Rev A
135-OL-01 Rev A
135-LP-01 Rev A
135-SL-01 Rev F
135-PV-01 Rev A
Ribble - 001 -183
135-MSL-01 Rev F
Holland- 001-A
135-EV-001 Rev B

Reason: For the avoidance of doubt and in the interests of proper planning.

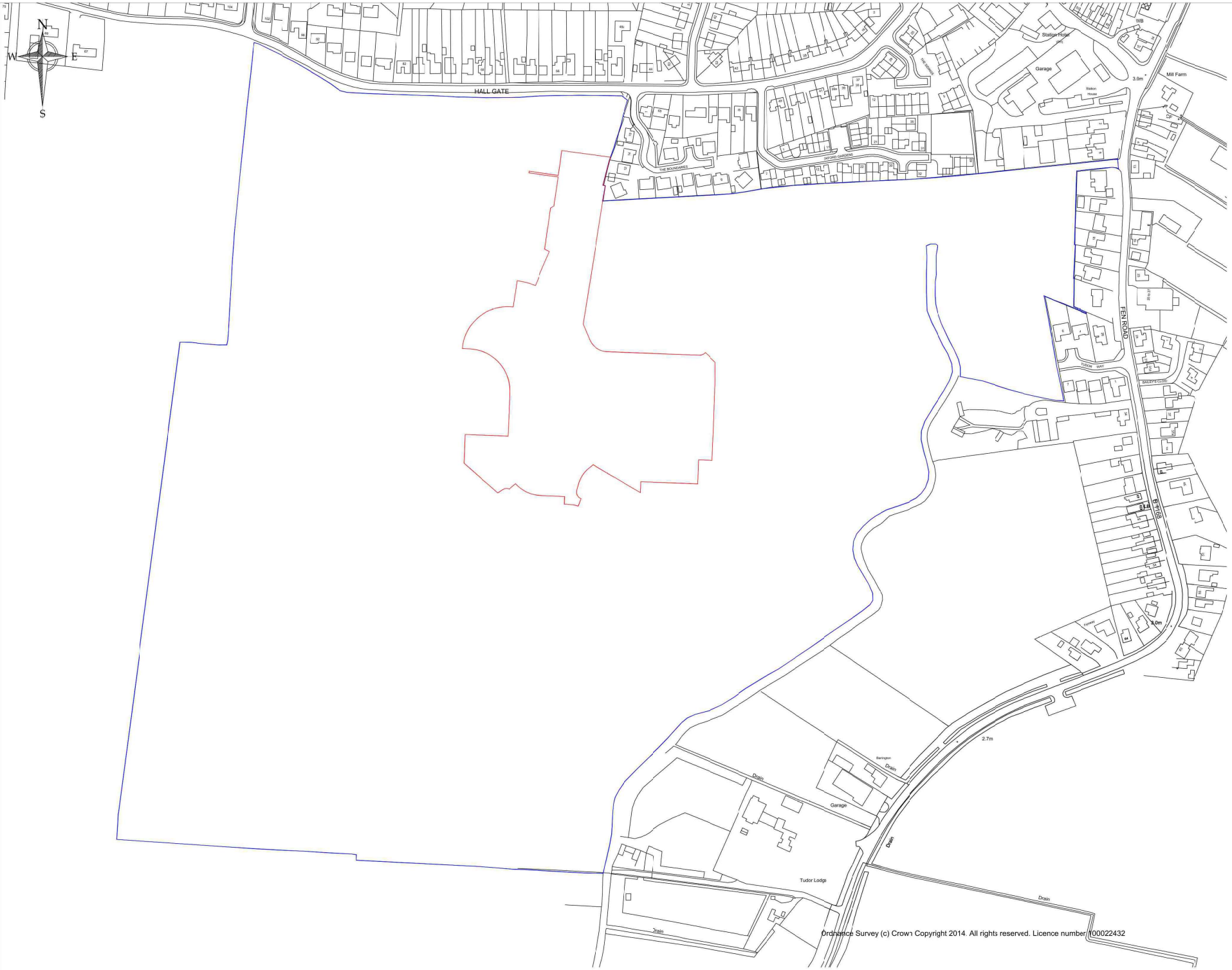
Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Mark Simmonds; Development Manager (Interim)
Telephone Number: 01775 764444
Email mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A



Ordnance Survey (c) Crown Copyright 2014. All rights reserved. Licence number 100022432

Rev.	Date	Description
A.	19.04.2023	Red Line Boundary Amended

ASHWOOD HOMES
1 Goodison Road, Lincs Gateway Business Park,
Spalding, Lincs, PE12 6FY T: 01406 490590

PROJECT:
Proposed Residential Development at Holbeach Meadows (Phase 2A)

DRAWING:
Location Plan (Phase 2A)

SCALE: 1:1500@A1 DRAWN: GB

DATE: OCT.2022 REVISION: A

DRAWING No: 135-LP-01